



H.R. 3043 – Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes

Executive Summary

The House is expected to consider H.R. 3043, the Department of Labor, Health and Human Services, and Education spending bill for FY2008, on July 17-19, 2007, under an open rule. H.R. 3043 provides \$607.4 billion in total spending for the Departments of Labor, Health and Human Services, Education, and Related Agencies, which is \$10.8 billion above the President's request. This is the largest of the annual spending bills. Of the appropriated \$607 billion, \$151.7 billion is for discretionary spending and \$455.7 billion is for mandatory spending. It also represents a 10.1% increase (more than \$61 billion) over non-emergency appropriations for FY2007.

Of the four Departments funded by H.R. 3043, the Department of Health and Human Services comprises the vast majority of the spending with \$477 billion for FY2008, an increase of \$55 billion above FY2007 and \$5 billion more than the President's request. Committee Republicans raised concerns with excessive spending on programs such as the \$420 million for the Corporation for Public Broadcasting, for which the President did not request any funding. Committee Republicans also took issue with duplicative funding where multiple federal agencies are receiving funds to perform the same functions in the areas of violence prevention and supporting employment, training, and business development opportunities for low-income residents in poor communities.

The bill contains 1,306 earmarks that total \$277.2 million.

The Democrats' overall 302(b) allocation levels for FY2008 represent an \$83 billion increase over the 2007 enacted budget levels. While Democrats defend this substantial increase by claiming domestic programs have been starved in recent years, the reality is that domestic discretionary spending has increased 40 % – or 12 % in real dollars – since 2001. The Administration has threatened to veto any appropriations bill with more funding than requested.

The Appropriations Committee approved the draft of the bill by voice vote on July 13, 2007.

Please note that a running list of amendments offered during floor debate will be available on our [website](#).

Floor Situation

H.R. 3043 is being considered on the floor pursuant to an open rule. The rule:

- Provides one hour of general debate equally divided and controlled by the Chairman and Ranking Member of the Committee on Appropriations.
- Waives all points of order against consideration of the bill except for clauses 9 (earmarks) and 10 (PAYGO) of Rule XXI.
- During amendment consideration, the Chairman may give priority in recognition to Members who pre-printed his or her amendment(s).
- Waives points of order against provisions that fail to comply with clause 2 of rule XXI.

Note: This provision waives the House Rule that prohibits authorizing language in an appropriations bill. All Republican Ranking Members signed a letter in objection to this tactic.

- Provides one motion to recommit with or without instructions.
- Provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

The bill was introduced by Representative David Obey (D-WI) on July 13, 2007. The House Committee on Appropriations reported H.R. 2641 on July 13, 2007.

The bill is expected to be considered on the floor on July 17-19, 2007.

Summary

H.R. 3043 provides \$607.4 billion in total spending for the Departments of Labor, Health and Human Services, Education, and Related Agencies, which is \$10.8 billion above the President's request. Of the appropriated \$607.4 billion, \$151.7 billion is for discretionary spending and \$455.7 billion is for mandatory spending.

	FY 2008 Proposal	President's Request	FY 2007 Enacted
Total	\$607 billion	\$596 billion	\$545.9 billion
Dept of Labor	\$14.9 billion	\$13.9 billion	\$14.7 billion
Dept of Health and Human Services	\$477 billion	\$472 billion	\$422 billion
Dept of Education	\$62.6 billion	\$59 billion	\$60.3 billion
Related Agencies	\$52.6 billion	\$52.5 billion	\$48.7 billion

Title I – Department of Labor

The bill provides \$14.9 billion for the Department of Labor, which is \$949 million above the President's request and \$200 million above the FY2007 enacted level. Highlights include:

- **Dislocated Worker Employment and Training Activities:** The bill would fund this program at \$1.19 billion for workers that have been laid off and those about to be laid off to receive information and education. This is \$286.9 million above the President's request and equals the FY2007 level.
- **Migrant and Seasonal Farmworkers:** The bill would fund this program at \$83.7 million, which is \$4 million above the FY2007 level. The President did not request any funding for this program for the 5th year in a row.
- **National Competitive Grant Programs:** This funding would support the programs included in the Workforce Investment Act, which authorizes programs in support of the workforce system. Included in this funding would be \$68.7 million for the Reintegration of Ex-Offenders program.
- **State Unemployment Insurance and Employment Service Operation:** This program would be funded at \$3.4 billion, which is \$43.9 million over the President's request and \$42.3 million above the FY2007 enacted level. This program provides the funding for administrative grants and assistance to State agencies that manage Federal and State unemployment laws.
- **Special Benefits for Disabled Coal Miners:** The bill would provide \$208.2 million for this program, which is the same as the President's request. These funds would be used to provide benefits to coal miners unable to work due to black lung disease and to certain dependents on a monthly basis.
- **Mine Safety and Health Administration:** This program would be funded at \$313.5 million, which is \$12 million more than FY2007 enacted level and equal to the President's request. This would provide for the retention of 170 inspector positions.
- **Office of Job Corps:** The bill would fund this program at \$1.6 billion, which is \$98 million above the President's request and \$42.6 million above the FY2007 enacted level. The Jobs Corps is a nationwide network of residential facilities chartered by Federal law to provide a comprehensive and intensive array of training, job placement, and support services to at-risk young adults.

Title II – Department of Health and Human Services

The bill provides \$477.4 billion for the Department of Health and Human Services, which is \$5.4 billion above the President's request and \$55.2 billion above the FY2007 enacted level. Highlights include:

- Access to Health Care for the Uninsured Initiative: This initiative would include 11 different programs (10 through the Department of HHS and 1 through the Department of Labor) and would be funded at \$6.4 billion.
- Pandemic Flu: This legislation would provide \$1.1 billion for the Department of Health and Human Services to protect against a potential flu pandemic. The President requested \$6.7 billion for this project on November of 2005 and Congress has twice provided funding, but \$1 billion remained unfunded. The bill also sets up a trust fund of \$5 million for any individuals that could be harmed by the H5N1 influenza vaccine.
- National Cord Blood Inventory Program: The bill would fund this program at \$4 million, which is \$2 million above the President's request and equal to the FY2007 enacted level.
- Family Planning: The program would be funded at \$310.9 million, which is \$27.8 million above the President's request and the FY2007 enacted level.
- Centers for Disease Control and Prevention: The CDC would be funded at \$6.5 billion, which is \$475.2 million more than the President's request and \$255.2 million above the FY2007 enacted level.
- National Institutes of Health: The bill would fund the NIH at \$29.3 billion, which is \$1 billion above the President's request and \$549 million above the FY2007 enacted level. The increase will go towards biomedical research supported by the NIH. The funding would also provide an increase of over 545 competing grants and support medical research.
- Centers for Medicare and Medicaid Services: The CMS would get \$141.6 billion for the mandatory Grants to States for Medicaid account. This is \$36.2 billion increase over the FY2007 enacted level. The Committee predicts that 50 million Americans will be enrolled in Medicaid during FY2008.
- Payments to Health Care Trust Funds: The bill would provide \$188.6 billion for this mandatory account, which supports Medicare Part B and prescription drug benefits. This funding would be the same as the President's request and \$12.3 billion more than the FY2007 enacted level.
- Low Income Home Energy Assistance: This program would be funded at \$2.7 billion, which is \$501 million more than the FY2007 enacted level.
- Children and Families Services Programs: The bill would provide \$9.1 billion for the program, which is \$187 million more than the FY2007 enacted level and \$887 million more than the President's request. This includes \$660 million for Community Services Block Grants and \$141 million for Abstinence Education.
- World Trade Center: The bill would provide \$50 million for treatment of World Trade Center responders. The \$50 million would be provided under the CDC's National

Institute for Occupational Safety and Health (NIOSH). The bill also requires the Director of NIOSH and the Secretary of Labor to establish a long-term, comprehensive Federal plan for monitoring, screening, analysis, and medical treatment for all individuals who were exposed to the toxins at the World Trade Center site.

Title III – Department of Education

The bill provides \$63.0 billion for the Department of Education, which is \$3.9 billion above the President's request and \$2.7 billion over the FY2007 enacted level. Highlights include:

- Reading First State Grants: This program would be funded at \$400 million, which is \$618 million less than the President's request and \$629 million less than the FY2007 enacted level. The majority indicates this decrease is in response to the Inspector General's report that the program has been mismanaged.
- Pell Grants: The bill would provide \$15.6 billion for Pell Grants, which is \$2.2 billion above the President's request and \$1.9 billion above the FY2007 enacted level. The maximum award for a Pell Grant would be set at \$4,700.
- No Child Left Behind Act: This program would be funded at \$25.7 billion, which is \$1 billion over the President's request and \$2 billion above the FY2007 enacted level.

Title IV – Related Agencies

The bill provides \$52.6 billion for related agencies. Highlights include:

- Corporation for Public Broadcasting: The bill would provide \$420 million in advanced funding for FY2010. This is \$20 million over the FY2009 level and the President did not request any funds. In addition to this appropriation, \$29.7 million is proposed for digital transition activities and \$26.8 million is proposed for replacing the National Public Radio interconnection system. The President proposed that both digital transition and interconnection be paid for out of the existing FY2008 advance appropriation.
- National Labor Relations Board: This legislation would provide \$257 million for the NLRB, which is \$750,000 above the President's request and \$5.5 million above the FY2007 enacted level. The bill directs \$525,000 for the training of new and existing employees.
- Social Security Administration: The bill would provide \$9.7 billion for funding, which is \$100 million above the President's request and \$401 million over the FY2007 enacted level.

Additional Information

[Committee Report – H.R. 3043](#)

Amendments Pre-Printed in the Congressional Record on July 17, 2007

(Please note that a running list of amendments offered during floor debate will also be available on our [website](#).)

Rep. Campbell (R-CA): The amendment would reduce by 0.25% any amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law.

Rep. Ehlers (R-MI): The amendment would increase funding for the Math & Science Partnerships program by 8.6 percent (\$15,665,760). The funds are offset by a \$15,665,760 reduction to the Department of Labor – Departmental Management, Salaries and Expenses account.

Rep. Flake (R-AZ): The amendment prohibits \$150,000 in funds from being used to for the Burpee Museum, Rockford, IL, for educational programming and exhibits.

Rep. Flake (R-AZ): The amendment would eliminate \$150,000 in funding for the South Carolina Aquarium, Charleston, SC for exhibits and curriculum.

Rep. Flake (R-AZ): The amendment would eliminate \$200,000 in funding for the Corporation for Jefferson's Poplar Forest, Forest, VA for expansion of exhibits and outreach.

Rep. Flake (R-AZ): The amendment would eliminate \$100,000 in funding for the Kansas Regional Prisons Museum, Lansing, KS for educational and outreach programs.

Rep. Flake (R-AZ): The amendment would eliminate \$150,000 in funding for the Shedd Aquarium, Chicago, IL for exhibits and community outreach.

Rep. Flake (R-AZ): The amendment would eliminate \$100,000 in funding for the Rhode Island College, Providence, RI for development of a Portuguese and Lusophone Studies Program.

Rep. Flake (R-AZ): The amendment would eliminate \$150,000 in funding for the American Ballet Theatre, New York, NY for educational activities.

Rep. Flake (R-AZ): The amendment would eliminate \$200,000 in funding for the American Jazz Museum, Kansas City, MO for exhibits and education programs, and an archival project.

Rep. Flake (R-AZ): The amendment would reduce funds by \$255.6 million for the Corporation for National and Community Service to carry out the 1973 Act and reduces funding by \$255.6 million to carry out the 1990 Act. The amendment reduces funding by \$55 million for the National Service Trust program.

Rep. Flake (R-AZ): The amendment would eliminate \$100,000 in funding for the Missouri State University, Springfield, MO for college preparatory pilot program.

Rep. Flake (R-AZ): The amendment would eliminate \$300,000 in funding for the Exploratorium, San Francisco, CA for its Bay Area Science Teacher Recruitment, Retention, and Improvement Initiative.

Rep. Jackson-Lee (D-TX): The amendment decreases by \$2 million funding for the Office of Civil Rights of the Department of Education and then increases it by \$2 million. (A more detailed summary will be made available.)

Rep. McCaul (R-TX): The amendment would move \$2 million out of the Labor Department's Departmental Budget and move it to the Special education national activities account, technical assistance and dissemination line item for deaf-blind children. **The amendment was offered on Tuesday, July 17, 2007.**

Rep. Moore (D-WI): The amendment would prohibit funds from being used to carry out the evaluation of the Upward Bound program described in the absolute priority for Upward Bound Program participant selection and evaluation published by the Department of Education in the Federal Register on September 22, 2006.

Rep. Musgrave (R-CO): The amendment would decrease funds in the bill by 0.5%.

Rep. Musgrave (R-CO): The amendment would reduce the Global Fund Executive Directors' salary from \$320,000 to \$145,000, equal to the salary of United States Global AIDS Coordinator. **The amendment was offered on Tuesday, July 17, 2007.**

Rep. Platts (R-PA): The amendment would increase appropriations for the William F. Goodling Even Start family literacy program by \$50 million. The offsets come from \$28 million from the Bureau of Labor Statistics Salaries and Expenses, \$10.2 million for the Departmental Management Salaries and Expenses, and \$10.9 million for the Departmental Management Offices of the Secretary General Department Management. **The amendment was offered on Tuesday, July 17, 2007.**

Rep. Ryan (R-WI): The amendment would prohibit funds to the Centers for Disease Control and Prevention (CDC) from being used for the following purposes:

- The Entertainment Education Program, which employs a Hollywood Liaison to advise TV shows and films on their medical content;
- The CDC Ombudsman Program, which is a \$250,000 per year expenditure used to improve employee morale; and,
- For facility upgrades that would provide additional rotating pastel lights, zero-gravity chairs, or dry-heat saunas for the CDC fitness center.

Rep. Shays (R-CT): The amendment would increase funding to the National Labor Relations Board by \$500,000, which would be offset by a decrease to the Department of Labor Departmental Management Salaries and expenses. **The amendment was offered on Tuesday, July 17, 2007.**

Rep. Whitfield (R-KY): The amendment would increase funding by \$10 million to the Substance Abuse and Mental Health Services account, with an offset of \$10 million from the Office of the Secretary General Departmental Management. (A more detailed summary will be made available.)

Rep. Whitfield (R-KY): The amendment would require that \$10 million be used to carry out section 3990 of the Public Health Service Act. (A more detailed summary will be made available.)

Rep. Jackson-Lee (D-TX): The amendment would decrease funding by \$2 million for the Department of Education – Departmental Management – Office of Civil Rights, and then increases it by \$2 million. (A more detailed summary will be made available.)

Rep. Jackson-Lee (D-TX): The amendment would decrease funding by \$2 million for the Department of Education – Education for the Disadvantaged, and then increases it by \$2 million.

Rep. Musgrave (R-CO): The amendment would prevent funds in this Act from being used, directly or indirectly, to provide, subsidize, advertise, teach, or advocate, any form of attachment therapy.

Rep. Holt (D-NJ): The amendment would decrease funds by \$25 million to the Departmental Management – Program Administration, and increase funds by \$25 million to the School Improvement Programs.

Rep. Holt (D-NJ): The amendment would increase funds by \$21 million to the Children and Family Services programs, increase funds by \$21 million to the Help America Vote Act of 2002, increase funds by \$6 million for the Promote Access for Voters with Disabilities program, and increase funds by \$6 million to the States for Protection and Advocacy Systems for Voters with Disabilities program. The amendment would provide \$21 million in offsets to the Office of the Secretary – General Departmental Management.

Rep. Holt (D-NJ): The amendment would increase funds by \$42.5 million to the Children and Family Services programs, increase funds by \$42.5 million to the Help America Vote Act of 2002, increase funds by \$29.3 million for the Promote Access for Voters with Disabilities program, and increase funds by \$13.2 million to the States for Protection and Advocacy Systems for Voters with Disabilities program. The amendment would provide \$42.3 million in offsets to the Office of the Secretary – General Departmental Management.

Rep. Eddie Bernice Johnson (D-TX): The amendment would decrease funding by \$46.5 million for the Education for the Disadvantaged program and increase funding by \$46.5 million for the Safe Schools and Citizenship Education program.

Rep. King (R-IA): The amendment would prohibit funds from being used by the Public Broadcasting Service to sponsor events at the Filmmaker Lodge at the Sundance Film Festival.

Rep. King (R-IA): The amendment would prohibit funds from being used to employ unauthorized aliens as described by section 274A(h)(3) of the Immigration and Nationality Act.

Rep. King (R-IA): The amendment would reduce total appropriations in the bill by 4.8%.

Rep. Price (R-GA): A summary will be made available.

Rep. Campbell (R-CA): The amendment would strike all earmarks in the bill.

Rep. Hensarling (R-TX): The amendment would reduce funds by \$8 million to the Children and Families Services Program.

Rep. Hensarling (R-TX): The amendment would reduce funds by \$5 million to the Children and Families Services Program.

Rep. Hensarling (R-TX): The amendment would reduce funds by \$32.7 million to the Children and Families Services Program.

Rep. Hensarling (R-TX): The amendment would reduce funds by \$21.4 million to the Administration on Aging – Aging Services Programs.

Rep. Hensarling (R-TX): The amendment would reduce funds by \$99 million to the Education for the Disadvantaged program.

Rep. Hensarling (R-TX): The amendment would reduce funds by \$272.3 million for School Improvement Programs.

Rep. Hensarling (R-TX): The amendment would reduce funds by \$33.9 million for School Improvement Programs.

Rep. Hensarling (R-TX): The amendment would reduce funds by \$7.6 million for School Improvement Programs.

Rep. Hensarling (R-TX): The amendment would reduce funds by \$10.7 million for the Innovation and Improvement program.

Rep. Hensarling (R-TX): The amendment would reduce funds by \$22.5 million for the Innovation and Improvement program.

Rep. Hensarling (R-TX): The amendment would reduce funds by \$14.7 million for the Innovation and Improvement program.

Rep. Hensarling (R-TX): The amendment would reduce funds by \$72.7 million for the Safe Schools and Citizenship Education programs.

Rep. Hensarling (R-TX): The amendment would reduce funds by \$11.8 million for the Higher Education programs.

Rep. Hensarling (R-TX): The amendment would reduce funds by \$40.6 million for the Higher Education programs.

Rep. Hensarling (R-TX): The amendment would reduce funds by \$255.6 million for the National and Community Service Act of 1990, and reduces funds by \$55 million to the National Service Trust Program.

Rep. Hensarling (R-TX): The amendment would prohibit funding for the Corporation for Public Broadcasting.

Rep. Hensarling (R-TX): The amendment strikes funding for Twin Cities Public Television, St. Paul, MN.

Rep. Hensarling (R-TX): The amendment prohibits funds in this Act from being used for the CDC for the Entertainment Education Program.

Rep. Hensarling (R-TX): The amendment prohibits funds in this Act from being used for the On Location Entertainment Industry Craft and Technical Training project, West Los Angeles College, Culver City, CA.

Rep. Hensarling (R-TX): The amendment prohibits funds in this Act from being used for the Read with Me/Lea Conmigo family literacy program, Families in Schools, Los Angeles, CA.

Rep. Hensarling (R-TX): The amendment prohibits funds in this Act from being used for the Andre Agassi College Preparatory Academy.

Rep. Hensarling (R-TX): The amendment prohibits funds in this Act from being used for the Charles B. Rangel Center for Public Service, College of New York, NY.

Rep. Campbell (R-CA): The amendment would cut spending in the bill by 0.25%.

Rep. Price (R-GA): A summary will be made available.

Rep. Price (R-GA): A summary will be made available.

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Rep. Conaway (R-TX): None of the funds made available this Act for the Low-Income Home Energy Assistance Program (LIHEAP) may be used while there continues in effect a Federal

prohibition on the exploration, leasing, development, or production of oil or natural gas in the Arctic National Wildlife Refuge or the Outer Continental Shelf.

Rep. Conaway (R-TX): It is the sense of the House of Representatives that any reduction in the amount appropriated by this Act achieved as a result of amendments adopted by the House should be dedicated to deficit reduction.

Rep. Gingrey (R-GA): None of the funds appropriated by this Act may be used by the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments, under any agreement between the U.S. and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.

Rep. Price (R-GA): Reduces appropriations in the bill by \$1,517,480,000 or 1%.

Rep. Sessions (R-TX): Strikes section 111. The amendment would strike language that prohibits the use of funds in this title (Title I) to carry out competitive sourcing activities at the Department of Labor under OMB Circular A-76 until 60 days after the Committee receives a report by the Government Accountability Office.

Rep. Jordan (R-OH): Reduces appropriations in the bill that are not required to be appropriated or otherwise made available by a provision of law by 4.6%.

Staff Contact

For questions or further information contact Chris Vieson at (202) 226-2302.